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2 BILL NO. S-80- 05-07

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4 SPECIAL ORDINANCE NO. S- 53-80

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ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO  
ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE  
REVENUE BONDS, SERIES 1980 (TEC-HACKETT, INC.  
PROJECT)" AND APPROVING OTHER ACTIONS WITH  
RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has  
rendered its project report for the Tec-Hackett, Inc. project,  
regarding the financing of proposed economic development facilities  
for use by Tec-Hackett, Inc. and the Fort Wayne Plan Commission  
has commented favorably thereon; and

WHEREAS, the Fort Wayne Economic Development Commission  
conducted a public hearing on January 22, 1980 and also adopted  
Resolutions on January 22, 1980 and April 21, 1980, which  
Resolutions have been transmitted hereto, finding that the  
financing of certain economic development facilities for use by  
Tec-Hackett, Inc. complies with the purposes and provisions of  
I.C. 18-6-4.5 and that such financing will be of benefit to  
the health and welfare of the City of Fort Wayne and its citizens;  
and

WHEREAS, the Fort Wayne Economic Development Commission has  
heretofore approved and recommended the adoption of this form of  
ordinance by this Common Council and has approved the forms of  
and has transmitted for approval by the Common Council the Loan  
Agreement and Mortgage and Indenture of Trust; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
WAYNE, INDIANA, THAT:

Section 1. It is hereby found that the financing of the  
economic development facilities referred to in the Loan Agreement  
approved by the Fort Wayne Economic Development Commission and  
presented to this Common Council, the issuance and sale of revenue  
bonds, the loan of the proceeds of the bonds for the acquisition  
and construction of facilities for Tec-Hackett, Inc., the payment  
of the revenue bonds by the note payments of Elizabeth A. Hughes

under the Loan Agreement and Note, and the securing of said bonds by the mortgage of such facilities to the Trustee under the Mortgage and Indenture of Trust complies with the purposes and provisions of I.C. 18-6-4.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

Section 2. The final forms of the Loan Agreement, Note and Mortgage and Indenture of Trust approved by the Fort Wayne Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in I.C. 18-6-4.5), shall be incorporated hereby by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk.

Section 3. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds, Series 1980 (Tec-Hackett, Inc. Project) in the total principal amount of Two Hundred Sixty Thousand Dollars (\$260,000.00) for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities as more particularly set out in the Loan Agreement and Mortgage and Indenture of Trust incorporated herein by reference, which bonds will be payable as to principal, premium, if any and interest from the note payments made by Elizabeth A. Hughes under the Loan Agreement and Note or as otherwise provided in the above-described Mortgage and Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

Section 4. The Mayor, Clerk and/or Controller are authorized and directed to sell such bonds to the purchasers thereof at an interest rate on the bonds not to exceed 9 3/4 per annum and at a price not less than 100% of the principal amount thereof.

Section 5. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction

1 including the bonds authorized herein. The signature of the  
2 Mayor and Clerk may be facsimile signatures. The Clerk and/or  
3 Controller are authorized to arrange for delivery of such bonds  
4 to the Trustee named in the Mortgage and Indenture of Trust,  
5 payment for which will be made to the Trustee named in the Mortgage  
6 and Indenture of Trust and delivered by the Trustee to the  
7 purchasers thereof.

8                   Section 6. The provisions of this Ordinance and the  
9 Mortgage and Indenture of Trust securing the bonds shall constitute  
10 a contract binding between the City of Fort Wayne and the holder  
11 of the Economic Development First Mortgage Revenue Bonds, Series  
12 1980 (Tec-Hackett, Inc. Project), and after the issuance of  
13 said bonds, this Special Ordinance shall not be repealed or  
14 amended in any respect which would adversely affect the rights of  
15 such holders so long as any of said bonds or the interest thereon  
16 remains unpaid.

17                   Section 7. This Ordinance shall be in full force and effect  
18 from and after its passage and signing by the Mayor.

19 Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

21 CITY OF FORT WAYNE

### Councilperson

Approved as to  
form and legality

J. S. Hoffman

Read the first time in full and on motion by Stier,  
seconded by Eisbark, and duly adopted, read the second time  
by title and referred to the Committee Planning (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on 19, the 19 day of June, M., E.S.T.

DATE: 5-13-80

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Stier,  
seconded by Eisbark, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>			
<u>BURNS</u>	<u>X</u>				
<u>EISBART</u>	<u>X</u>				
<u>GiaQUINTA</u>	<u>X</u>				
<u>NUCKOLS</u>	<u>X</u>				
<u>SCHMIDT, D.</u>	<u>X</u>				
<u>SCHMIDT, V.</u>	<u>X</u>				
<u>SCHOMBURG</u>	<u>X</u>				
<u>STIER</u>	<u>X</u>				
<u>TALARICO</u>	<u>X</u>				

DATE: 5-27-80

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)  
(APPROPRIATION) ORDINANCE (RESOLUTION) No. L-53-80  
on the 27th day of May, 1980.

ATTEST:

(SEAL)

Viriam G. Schmidt  
PRESIDING OFFICER

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 28th day of May, 1980, at the hour of  
11:30 o'clock A.M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 2nd day of June  
1980, at the hour of 10 o'clock A.M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

*Heads*  
BILL NO. S-80-05-07

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN  
ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC  
DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1980 (TEC-HACKETT,  
INC. PROJECT)" AND APPROVING OTHER ACTIONS WITH RESPECT THERETO

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HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE *or* PASS.

JAMES S. STIER, CHAIRMAN

MARK GIAQUINTA, VICE CHAIRMAN

BEN EISBART

PAUL M. BURNS

DONALD J. SCHMIDT

*June 1st*

*Mark E. Gia Quinta*

*Ben Eisbart*

*Paul M. Burns*

*Donald J. Schmidt*

*5-27-80*

CONCURRED IN

DATE CHARLES W. WESTERMAN, CITY CLERK

*adopted 4/21/80*

RESOLUTION

FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
FORT WAYNE, INDIANA

BE IT RESOLVED BY THE FORT WAYNE ECONOMIC DEVELOPMENT  
COMMISSION THAT:

Section 1. It finds that the proposed financing of economic development facilities referred to in the form of Financing Agreement (as defined in the Minutes) presented to this meeting for use by Tec-Hackett, Inc. complies with the purposes and provisions of I.C. 18-6-4.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

Section 2. The final forms of the Loan Agreement, Mortgage and Indenture of Trust, Real Estate Lease, Lessee's Consent and Agreement to Lease Assignment, and Collateral Assignment of Lease and Rentals along with a proposed form of Special Ordinance for the Common Council presented to this meeting are hereby approved.

Section 3. The proposed economic development facilities will not have an adverse competitive effect on any similar facilities already under construction or in operation in the City of Fort Wayne, Indiana.

Section 4. The Secretary shall initial and then insert a copy of the forms of documents approved by this Resolution in the Minute Book of this Commission.

Section 5. A copy of this Resolution and the other form of documents approved by this Resolution and the proposed form

of Special Ordinance shall be presented in their final form by Counsel for the Economic Development Commission or by any member of this commission to the Clerk for presentation to the Common Council.

Adopted this 21st day of April, 1980.

FORT WAYNE ECONOMIC  
DEVELOPMENT COMMISSION

By: Wayne P. Simerman, President

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Secretary

DIGEST SHEET

TITLE OF ORDINANCE: Special Ordinance

8-80-05-07

DEPARTMENT REQUESTING ORDINANCE: Economic Development Commission

SYNOPSIS OF ORDINANCE: Ordinance authorizing the City of Fort Wayne to issue its "Economic Development First Mortgage Revenue Bonds, Series 1980" (Tec-Hackett, Inc. Project) and approving other actions with respect thereto.

EFFECT OF PASSAGE: The issuance and sale of revenue bonds for the acquisition, construction and equipping of facilities.

EFFECT OF NON-PASSAGE: Non-construction of facilities.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): \$ 260,000.00

ASSIGNED TO COMMITTEE: